

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN CIVIL LIBERTIES UNION OF
MASSACHUSETTS, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF HOMELAND
SECURITY, and U.S. CUSTOMS AND
BORDER PROTECTION,

Defendants.

Civil Action No.: 19-cv-10291-WGY

**JOINT MOTION TO STAY CASE FOR 30 DAYS
AND ADJOURN SCHEDULING CONFERENCE**

The parties to this Freedom of Information Act (“FOIA”) suit, by and through their undersigned counsel, hereby jointly move to stay the case for thirty (30) days, and to adjourn the Scheduling Conference current set for May 6, 2019.

As grounds, the parties state that they have made substantial progress toward resolving this case by agreement. The parties believe it likely that, within 30 days, the matter will either be dismissed, or the disputed issues will be substantially narrowed. The parties respectfully suggest that an order temporarily staying this matter, and adjourning the upcoming Scheduling Conference, is appropriate, as it will permit the parties to either resolve the matter or to substantially narrow the issues for the Court’s consideration upon expiration of the stay.

In addition, the parties believe that because this case is brought pursuant to the FOIA, establishment of a schedule of deadlines for discovery is not currently necessary. The parties presently expect that this case would, like most FOIA cases, not involve discovery, and consistent

with typical FOIA practice will be resolved on cross-motions for summary judgment.¹ Thus, if the merits of this case were to be litigated, the parties believe the most appropriate way forward would be to submit a joint schedule for summary judgment briefing.

Accordingly, the parties respectfully request that the Court stay further proceedings in this case for thirty days, and that the May 6, 2019 scheduling conference be adjourned. They also respectfully request that as an alternative to the current scheduling obligations, the parties submit a status report and/or briefing schedule on May 31, 2019, if the matter is not already dismissed by that date.

¹ Plaintiff reserves its rights pursuant to Fed. R. Civ. P. 56(d).

Dated: April 29, 2019

Respectfully submitted,

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LOCAL RULE 7.1 CERTIFICATION

I hereby certify that the parties have conferred regarding this motion and jointly seek the relief requested.

Peter M. Bryce

Dated: April 29, 2019

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing document on all registered participants by filing it in the CM/ECF system.

Peter M. Bryce

Dated: April 29, 2019